

Draft

PERMIT

Permit No: 200801357-SJ
Town/City: Bridgeport
Work Area: 148 Waterview Ave.
Permittee: City of Bridgeport, OPED
999 Broad Street
Bridgeport, CT 06604

Pursuant to sections 22a-359 through 22a-363f and sections 22a-28 through 22a-35 of the Connecticut General Statutes ("CGS") and in accordance with CGS section 22a-98 and the Connecticut Water Quality Standards dated December 2002, a permit is hereby granted by the Commissioner of Environmental Protection ("Commissioner") to create a marina for marine commercial use and install a bulkhead for flood and erosion control as is more specifically described below in the SCOPE OF AUTHORIZATION, in the Yellow Mill Channel off property identified as the "work area" above.

*******NOTICE TO PERMITTEES AND CONTRACTORS*******

UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS PERMIT. FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS PERMIT MAY SUBJECT THE PERMITTEE AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING INJUNCTIONS AS PROVIDED BY LAW AND PENALTIES UP TO \$1,000.00 PER DAY PURSUANT TO THE ADMINISTRATIVE CIVIL PENALTY POLICY DESCRIBED IN SECTIONS 22a-6b-1 THROUGH 22a-6b-15 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES.

SCOPE OF AUTHORIZATION

The Permittee is hereby authorized to conduct the following work as described in application 200801357-SJ, including eight sheets of plans with sheet 1 dated December 1999, sheet 2 dated September 1999, sheet 3 revised May 5, 2010, sheet 4 revised July 16, 2009, sheets 5, 7 and 8 revised April 20, 2010 and sheet 6 revised April 2010, submitted by the Permittee to the Commissioner and attached hereto, as follows:

create a marina by installing:

1. approximately 190 linear feet of seawall by:
 - a. excavating the bank landward to place stacked concrete blocks;
 - b. installing filter fabric and a tieback system; and
 - c. backfilling;

2. a 30' W x 70' L boat launch ramp by:
 - a. excavating the bank to remove approximately 65 cubic yards of upland soil;
 - b. placing approximately 70 cubic yards of crushed stone and concrete;
3. a 6' x 60' fixed pier and a 5' x 30' ramp;
4. floats with dimensions as follows;
 - a. a 6' x 30' ramp landing float;
 - b. an 8' x 260' main float;
 - c. nine 4' x 32' finger floats; and
 - d. seven 4' x 24' finger floats; and
5. associated pilings.

SPECIAL TERMS AND CONDITIONS

1. The face of the seawall authorized in SCOPE OF AUTHORIZATION, paragraph 1., above, shall be no further waterward than the toe of the existing bank.
2. Seawall and boat launch ramp installation authorized in SCOPE OF AUTHORIZATION, paragraphs 1. and 2., above, shall be completed only during periods of low water.
3. Seawall construction authorized in SCOPE OF AUTHORIZATION, paragraph 1., above, shall be limited to 20' sections at any time. At no time shall work begin on the next 20' section without the prior seawall section being stabilized.
4. The fixed pier authorized in SCOPE OF AUTHORIZATION, paragraph 3., above, shall be constructed so that the lowest horizontal member is a minimum of 5' off the substrate so that public access under the pier is not impeded.
5. Prior to the occupancy of the marina, the Permittee shall purchase and have available for use a portable pump-out unit capable of handling the wastes generated by the vessels berthed at the marina. Such pump-out unit shall be available for operation between April 15 and October 15 of every year the yacht club is in operation.
6. The Permittee shall establish a minimum of a 2 foot setback from any wetlands or watercourses in and adjacent to the area where work is to be conducted or areas which are to be used for access to the work area. Such setback area(s) shall be flagged so as to be readily identifiable by contractor personnel until the work authorized hereunder is completed.
7. Except as specifically authorized by this permit, no equipment or material, including but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site, or within any delineated setback area, nor shall any wetland, watercourse or delineated setback area be used as a staging area or accessway other than as provided herein.
8. Not later than two weeks prior to the commencement of any work authorized herein, the Permittee shall submit to the Commissioner, on the form attached hereto as Appendix A, the

name(s) and address(es) of any contractor(s) employed to conduct such work and the expected date for commencement and completion of such work.

9. On or before (a) 90 days after completion of the work authorized herein, or (b) upon expiration of the work completion date or any authorized one year extension thereof, whichever is earlier, the Permittee shall submit to the Commissioner "as-built" plans prepared and sealed by a licensed engineer, licensed surveyor or licensed architect, as applicable, of the work area showing all tidal datums and structures.

GENERAL TERMS AND CONDITIONS

1. All work authorized by this permit shall be completed within five years from date of issuance of this permit ("work completion date") in accordance with all conditions of this permit and any other applicable law.
 - a. The Permittee may request a one-year extension of the work completion date. Such request shall be in writing and shall be submitted to the Commissioner at least 30 days prior to said work completion date. Such request shall describe the work done to date, work which still needs to be completed and the reason for such extension. The Commissioner shall grant or deny such request in her sole discretion.
 - b. Any work authorized herein conducted after said work completion date or any authorized one year extension thereof is a violation of this permit and may subject the Permittee to enforcement action, including penalties, as provided by law.
2. In conducting the work authorized herein, the Permittee shall not deviate from the attached plans, as may be modified by this permit. The Permittee shall not make de minimis changes from said plans without prior written approval of the Commissioner.
3. The Permittee shall maintain all structures or other work authorized herein in good condition. Any such maintenance shall be conducted in accordance with applicable law including, but not limited to, CGS sections 22a-28 through 22a-35 and CGS sections 22a-359 through 22a-363f.
4. Prior to the commencement of any work authorized hereunder, the Permittee shall cause a copy of this permit to be given to any contractor(s) employed to conduct such work. At the work area the Permittee shall, whenever work is being performed, make available for inspection a copy of this permit and the final plans for the work authorized herein.
5. The Permittee shall notify the Commissioner in writing of the commencement of any work and completion of all work authorized herein no later than three days prior to the commencement of such work and no later than seven days after the completion of such work.
6. All waste material generated by the performance of the work authorized herein shall be disposed of by the Permittee at an upland site approved for the disposal of such waste material, as applicable.
7. In undertaking the work authorized hereunder, the Permittee shall not cause or allow pollution of wetlands or watercourses, including pollution resulting from sedimentation and erosion. For

purposes of this permit, "pollution" means "pollution" as that term is defined by CGS section 22a-423.

8. Upon completion of any work authorized herein, the Permittee shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
9. Any document required to be submitted to the Commissioner under this permit or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section
Office of Long Island Sound Programs
Department of Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127
(860) 424-3034
Fax # (860) 424-4054

10. The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this permit means calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
11.
 - a. The work specified in the SCOPE OF AUTHORIZATION is authorized solely for the purpose set out in this permit. No change in the purpose or use of the authorized work or facilities as set forth in this permit may occur without the prior written authorization of the Commissioner. The Permittee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this permit, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
 - b. A change in the form of ownership of any structure authorized herein from a rental/lease commercial marina to a wholly-owned common interest community or dockominium may constitute a change in purpose as specified in paragraph (a) above.
12. This permit may be revoked, suspended, or modified in accordance with applicable law.
13. This permit is not transferable without prior written authorization of the Commissioner. A request to transfer a permit shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Permittee's obligations under this permit shall not be affected by the passage of title to the work area to any other person or municipality until

such time as a transfer is authorized by the Commissioner.

14. The Permittee shall allow any representative of the Commissioner to inspect the work authorized herein at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
15. In granting this permit, the Commissioner has relied on representations of the Permittee, including information and data provided in support of the Permittee's application. Neither the Permittee's representations nor the issuance of this permit shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
16. In the event that the Permittee becomes aware that he did not or may not comply, or did not or may not comply on time, with any provision of this permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.
17. In evaluating the application for this permit the Commissioner has relied on information and data provided by the Permittee and on the Permittee's representations concerning site conditions, design specifications and the proposed work authorized herein, including but not limited to representations concerning the commercial, public or private nature of the work or structures authorized herein, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, this permit may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
18. The Permittee may not conduct work waterward of the high tide line or in tidal wetlands at this permit site other than the work authorized herein, unless otherwise authorized by the Commissioner pursuant to CGS section 22a-359 et. seq. and/or CGS section 22a-32 et. seq.
19. The issuance of this permit does not relieve the Permittee of his obligations to obtain any other approvals required by applicable federal, state and local law.
20. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by the Permittee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my

knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."

21. This permit is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

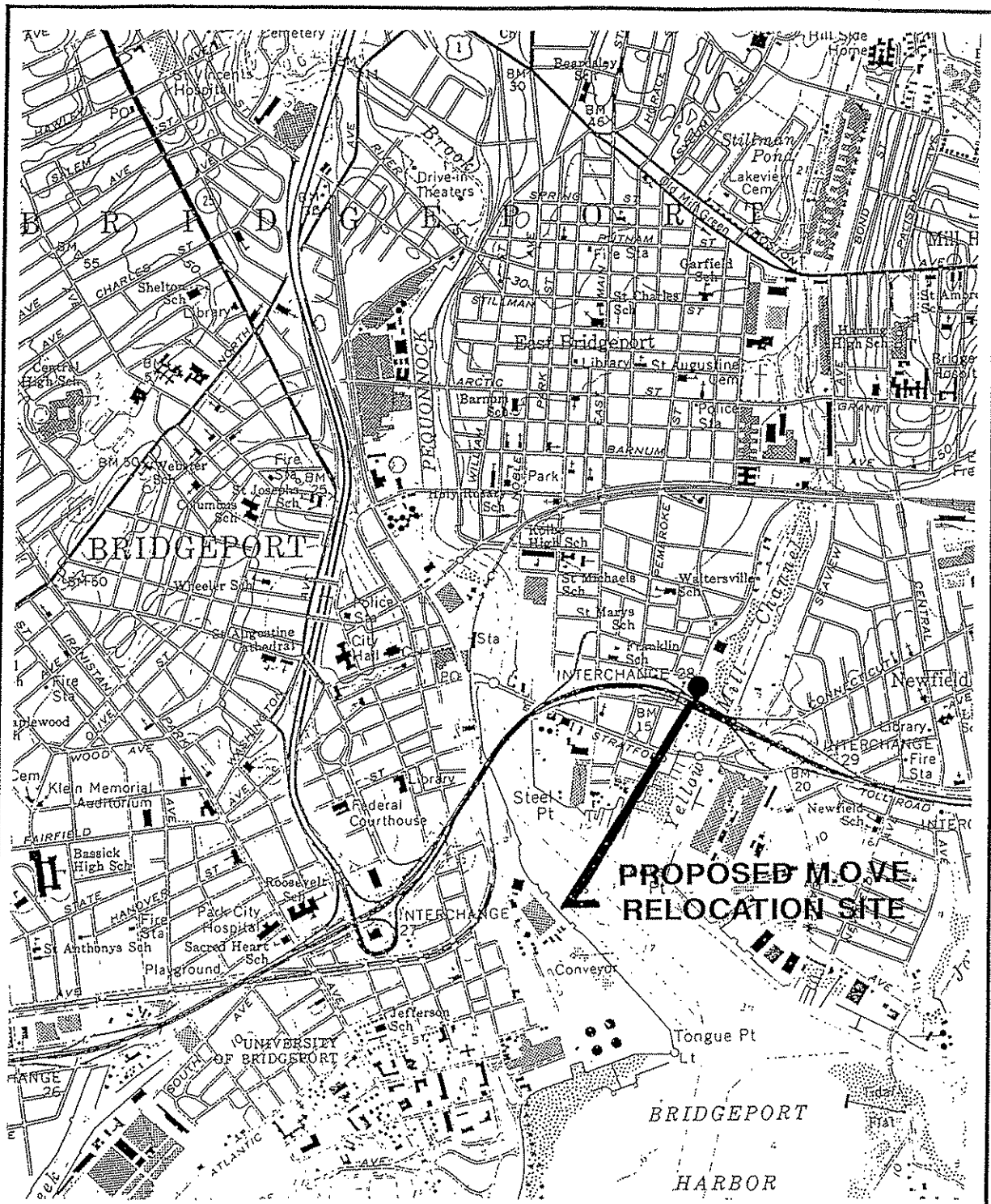
Issued on _____, 2010

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Amey W. Marrella
Commissioner

Permit Application No. 200801357-SJ
City of Bridgeport, OPED

Certified Mail # _____



TPA
Design Group

DATE: 12/99

Scale: 1:24,000

Source: U.S. Geological Survey 7.5-Minute
Topographic Quadrangle Map, Bridgeport,
Connecticut. 1970, Photorevised 1984

FIGURE 1

SITE LOCATION MAP
PROPOSED M.O.V.E. YACHT
CLUB RELOCATION

1 - 95 BRIDGE

N/F
CITY OF BRIDGEPORT

N/F
CITY OF BRIDGEPORT

PERIMETER OF SMOOTH
CORDGRASS GROWTH

HTL
MLW

HTL
MLW

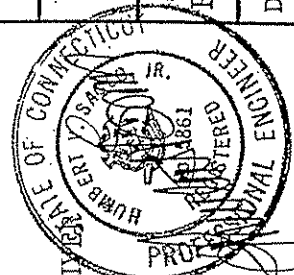
ABUTMENT

ABUTMENT

FED. CHANNEL
150'

- NOTES:
- 1) THE INFORMATION PRESENTED ON THIS MAP REPRESENTS THE RESULTS OF A HYDROGRAPHIC SURVEY PERFORMED BY HYDRODATA, INC. ON JULY 27, 1989 AND CAN ONLY REPRESENT THE CONDITIONS AT THAT TIME.
 - 2) SOUNDINGS ARE IN FEET AND ARE REFERENCED TO MEAN LOW WATER (MLW) BASED ON A BENCH MARK ON PIER 10 OF THE I-95 BRIDGE OVER THE PEQUONNOK RIVER.
 - 3) THE DIMENSIONS AND LOCATION OF THE FEDERAL NAVIGATION CHANNEL ARE BASED ON THE NOVEMBER 1897 ACCESSION YELLOW MILL RIVER CONDITION SURVEY.

NOTES:



YELLOW MILL RIVER
FLOOD
EBB

TPA Design Group
85 Willow Street, New Haven, CT 06511
(203) 562-2181

FIGURE 2
EXISTING CONDITIONS

M.O.V.E. YACHT CLUB
PROPOSED RELOCATION PROJECT

DATE: September 1999

SCALE: 1" = 80'

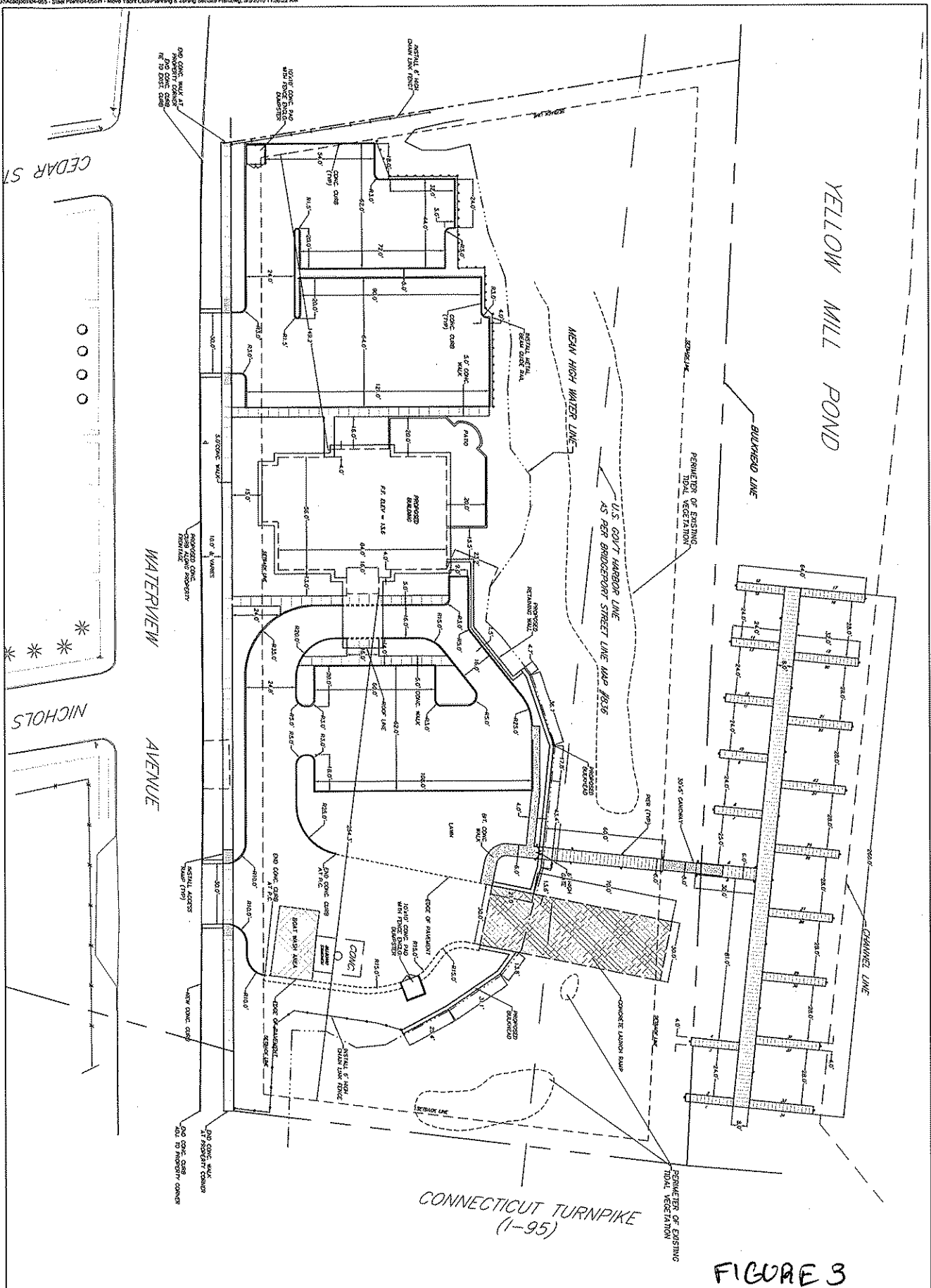


FIGURE 3

<p>LP-1</p> <p>DRIVING TUNNEL</p>	<p>M.O.V.E. YACHT CLUB</p> <p>WATERVIEW AVENUE</p> <p>BRIDGEPORT, CONNECTICUT</p> <p>LAYOUT PLAN</p>		<p>DESIGNED: J.V.S.</p> <p>DRAWN: J.V.S.</p> <p>CHECKED: K.V.S.</p> <p>SCALE: 1"=20'</p> <p>DATE: 4/24/00</p> <p>TPA PROJ. NO: 04-055A</p>	<p>REVISION:</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>REMARKS</th> </tr> <tr> <td>1</td> <td>5/5/00</td> <td>Revised plan to show easements</td> </tr> <tr> <td>2</td> <td>5/5/00</td> <td>Added existing tree vegetation</td> </tr> <tr> <td>3</td> <td>5/5/00</td> <td>Added total tank area</td> </tr> </table>	NO.	DATE	REMARKS	1	5/5/00	Revised plan to show easements	2	5/5/00	Added existing tree vegetation	3	5/5/00	Added total tank area	<p>TPA</p> <p>DESIGN GROUP</p> <p>Planning Engineering Landscape Architecture</p> <p>20 West Street New Britain, CT 06053 TEL: 860-352-1234 FAX: 860-352-1235 www.tpadesigngroup.com</p>
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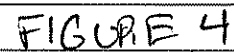


FIGURE 5

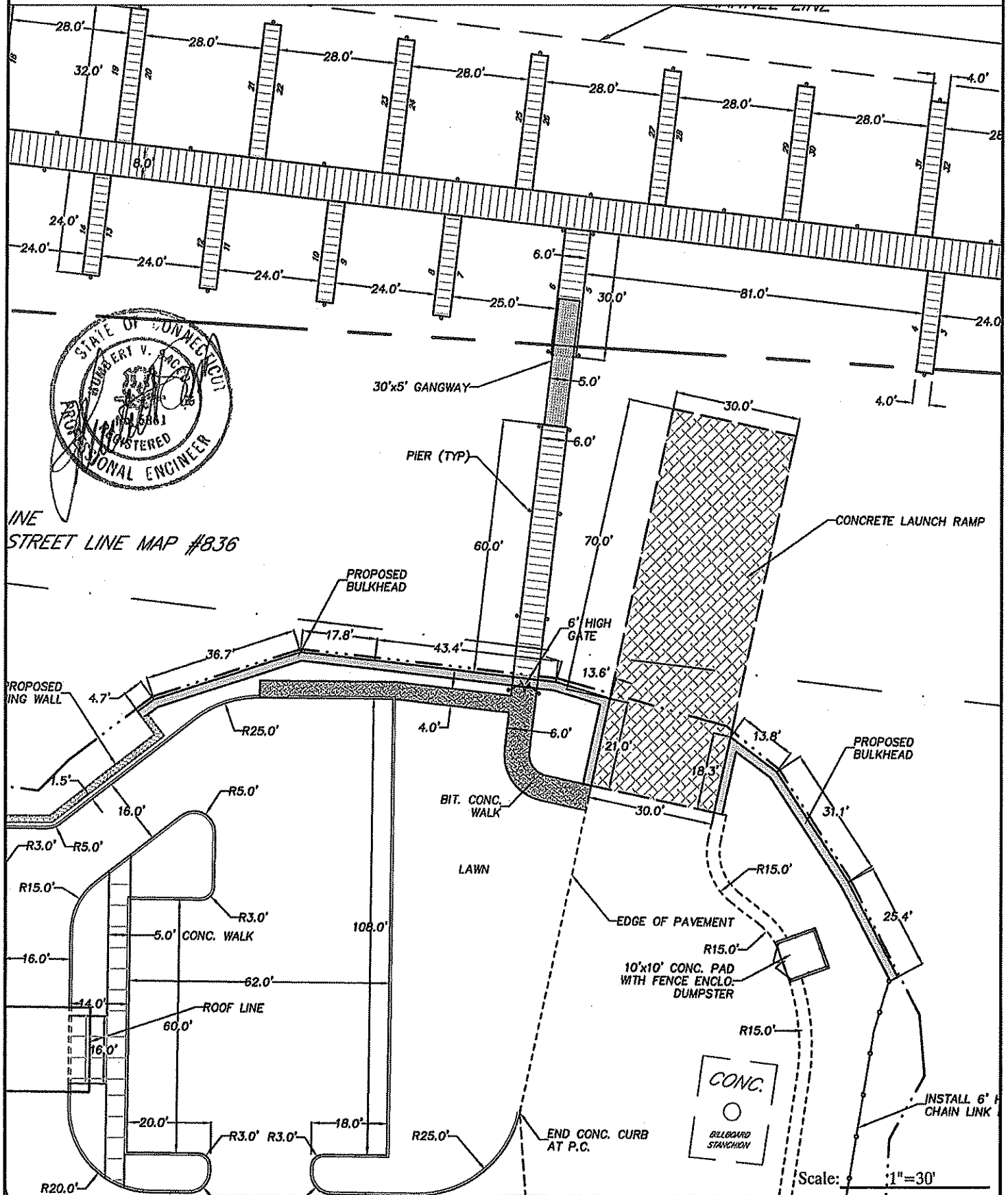
TPA
DESIGN GROUP

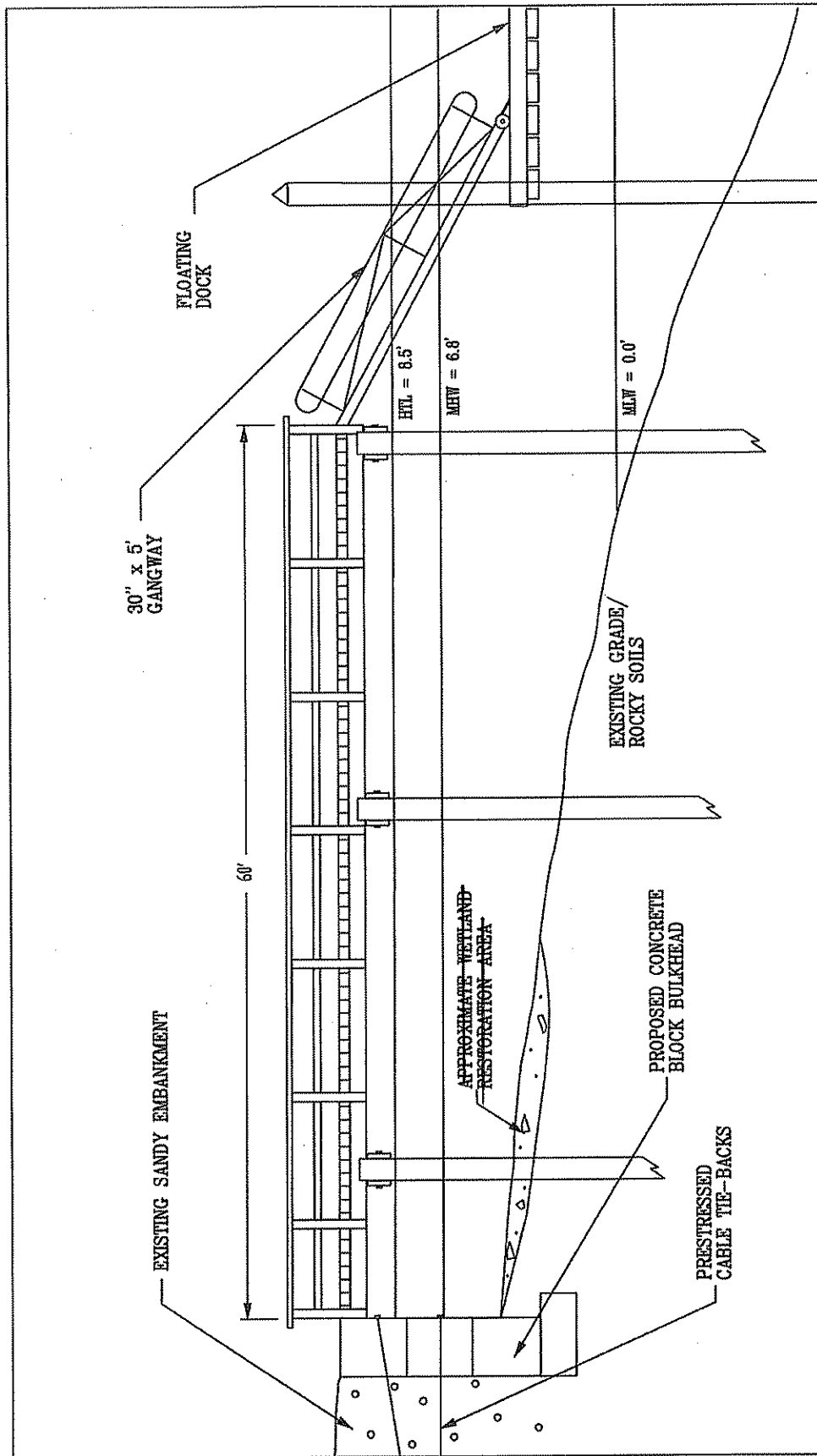
JOB:

Club - BULKHEAD LAYOUT PLAN

LAYOUT PLAN

Rev. 4-20-10





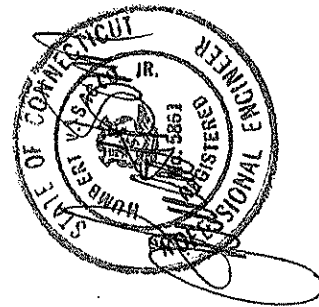
TPA Design Group
85 Willow Street, New Haven, CT 06511
(203) 562-2181

FIGURE 6
CROSS-SECTION A-A'

M.O.V.E. YACHT CLUB
PROPOSED RELOCATION PROJECT

DATE: June 2000
REV: Sept 2008
REV: April 2010

SCALE: NTS



NOTES:

- 1) THE BOTTOM OF THE FIXED PIER SHALL BE ELEVATED TO +9.5' MLW TO PROVIDE SUFFICIENT NATURAL LIGHT FOR POTENTIAL SPARTINA ALTERNIFLORA HABITAT. THE FIXED PIER PLANKING SHALL HAVE A MINIMUM SPACING OF 3/4".
- 2) PROJECT DRAWINGS ARE FOR PLANNING AND PERMITTING PURPOSES ONLY, NOT FOR CONSTRUCTION.

FIGURE 7

TPA
DESIGN GROUP

Planning 85 Willow Street TEL 203-562-2181
Engineering New Haven FAX 203-787-7116
Landscape Architecture Connecticut 06511 www.tpadesigngroup.com
JOB: M.O.V.E. Yacht Club - BOAT LAUNCH RAMP PLAN

By: J.V.Z.

Date: 5/27/09
Rev. 4-20-10

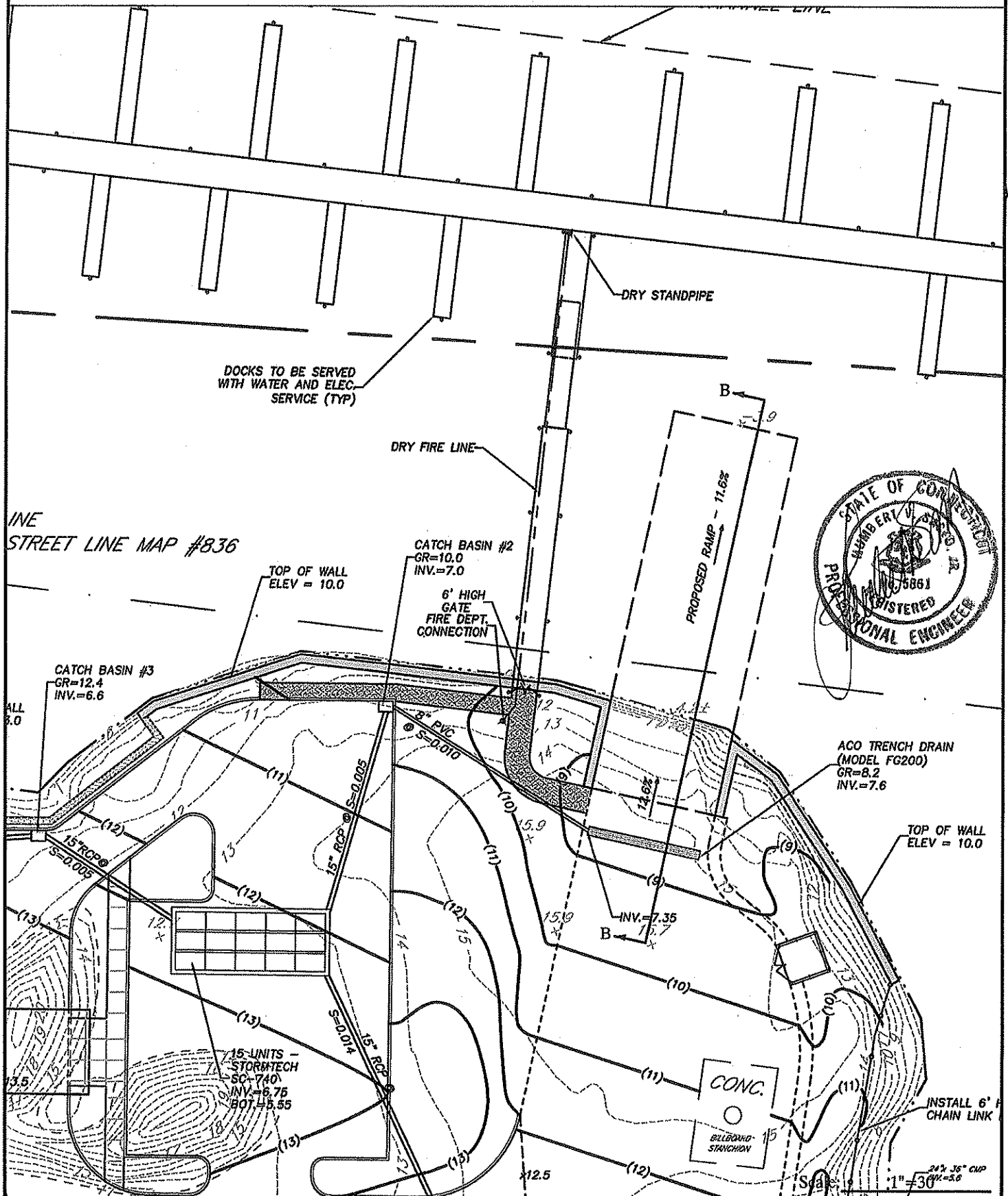
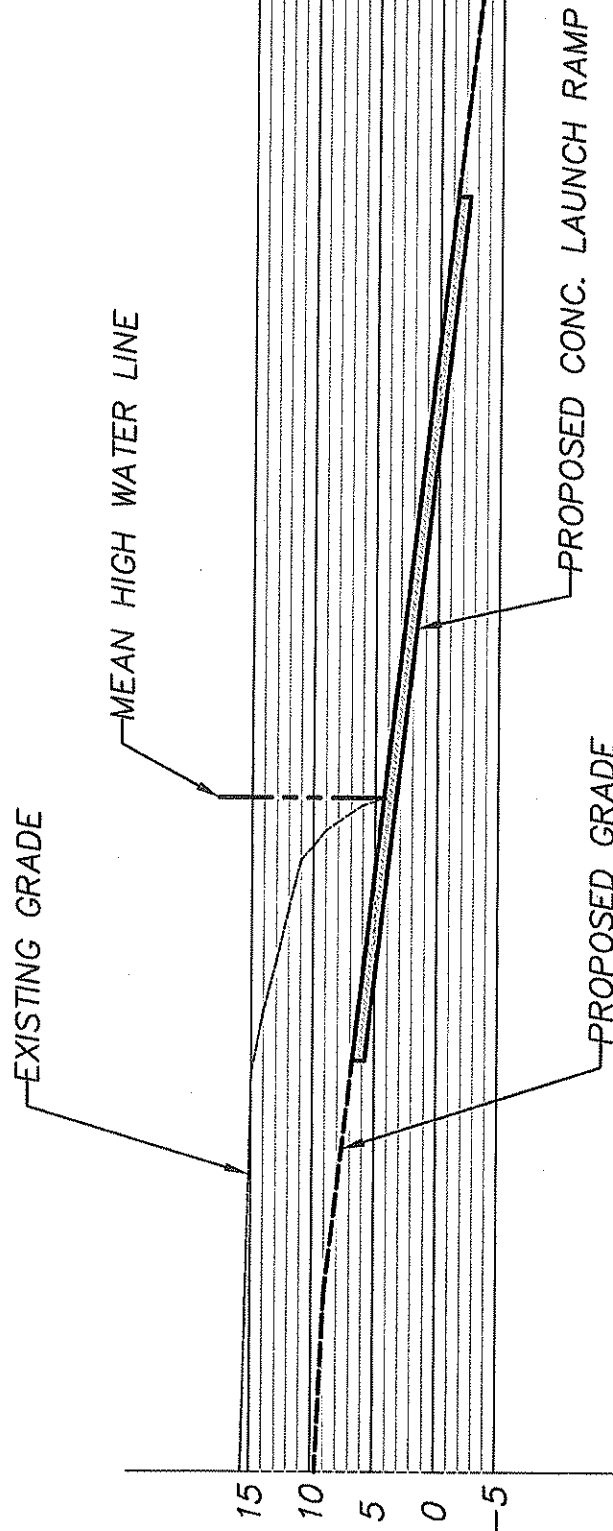
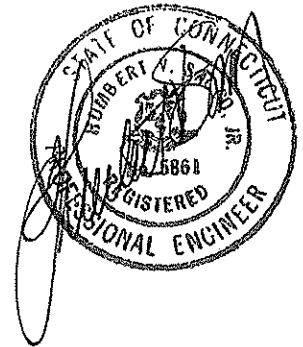


FIGURE 8

TPA
DESIGN GROUP

Planning 85 Willow Street TEL 203-562-2181
Engineering New Haven FAX 203-787-7116
Landscape Architecture Connecticut 06511 www.tpadesigngroup.com
JOB: M.O.V.E. Yacht Club - BOAT LAUNCH RAMP SECTION

By: J.V.Z.
Date: 5/27/09
Rev. 4-20-10



Scale: 1"=15'